

## GAYNOR HITS OUT AT BELMONT

FAIR OF DISHONEST MEMBERS  
AND SPURS HIM TO ANSWER.

Live Speeches at Civic Federation Dinner.  
The Justice Prater Roosevelt and  
Miss Manning and Stork Waterbury  
Will Lead in Retort of Retorts.

Supreme Court Justice Gaynor of Brooklyn made another one of his attacks on public service corporations at the dinner of the National Civic Federation at the Park Avenue Hotel last night, intended as a farewell to the commission that is going abroad to study municipal ownership. Justice Gaynor, referring to such members as the one lately put through in this city, declared that they were "dishonest enough to choke the moral sense of the people of the entire country."

Within an hour of Justice Gaynor's President August Belmont. He did not intend to say anything but a few words concerning the work of the commission, as Justice Gaynor got into his talk Mr. Belmont's face flushed and he looked very uncomfortable.

When he got a chance to speak he went for Gaynor, without mentioning him by name, and said that he wanted to reiterate in the most unqualified language the indignation that had been made.

Judge Gaynor, who was not in bed upon until after their Straus, who presided, had spoken of the work of the commission expected to do and after Prof. Frank Goodnow and Albert Shaw, members of the commission, had talked about municipal ownership and how to study the question.

Mr. Straus, who, as toastmaster, separated Judge Gaynor from Mr. Belmont at the head table, had announced that the discussion was to be informal and that any one might be called upon, and the Justice started off mildly enough by saying that it was hardly worth while talking in a company of such philosophers. If the federation, he said, had done no other work than to bring Mr. Belmont and Mr. Gompers together it would have done a great work.

"These agitations for municipal ownership, and to some extent for municipal management," he said, "have been, in my judgment, arisen not out of any hostility to capital or to the private management of public service corporations. The live coal now in the mind of this country was neither originated nor is it being fanned into flame by such hostility. On the contrary, it has come wholly from the mismanagement of these enterprises, in overcapitalization, in watering stock again and again.

"The community cannot look without feeling without regret, without deep resentment, and finally without action to the doubling up of capital, the trebling of capital put into these public franchises, representing nothing but a perpetual tax on the community.

"We see these great companies in New York now united and leasing themselves for 999 years. Dear me, think of our standing that thing for 999 years! Nine years are more likely than 999. Is the actual capital doubled? No, not in capital, but these great gifts, these franchises that are nothing but licenses from the people, are made a drain on the community, by being bonded and the stock doubled up, year after year, until the sum has become colossal enough—I will be bold enough to say it even in this presence—dishonest enough to shock the moral sense of the people of this country. There is the seed of this hostility, this feeling toward these corporations.

"We have just had a great debate in Washington touching on the railways. The same thing is true of them. There is no resentment in Washington against capital, but there is hostility to these public utilities being made a perpetual tax on the people as though the recipients had the right to do as they pleased with them. What are the railways but our public highways—as much as the dirt road along which the public mind has now come to the understanding of this and you can't rid the public mind of it. The building of these roads may be mismanagement, by misdirection, have been turned over to private individuals and the trouble is, not that we have any hostility to honest capital, but that those who have these gifts have come somehow to understand that they own them for their own profit first and for the public second.

"It is a horrible crime if the public highways carry the freight of one man or a group of men at half the rate charged another, to the aggrandizement of one man and the destruction of the other.

"Go back to the days of tollgates. What do you think would happen if one man should drive through for one-half what another man paid? They would tear down the tollgate. We will tear down the tollgate to the railways? They will tear down the tollgate. We will do this peacefully if possible, forcibly if we must.

"There is nothing more certain than that the people have come to the conclusion that this thing will no longer be tolerated either on the highways of the nation or the highways of the city. They demand that they shall be managed for the aggrandizement of no single individual, but for the welfare of all. I do not say to you that taking of private property by the Government can be done only for the Government and for the welfare of the people, and could only be on the theory that they are performing governmental functions; that they are highways which from the twilight of history have always been managed by governments.

"And I want to invoke a blessing on the man who as President of the United States, has seen this great question as you would see through that pane of glass, who has held it up before the country when no political party dare to make it an issue, who has forced it before Congress and fought for a final issue in spite of all the abuse and recrimination that has been heaped upon him. Not that I think that this law will cure all the ills but that the moral feeling of the people is expressed in it, and for the welfare of all. I do not say to you that taking of private property by the Government can be done only for the Government and for the welfare of the people, and could only be on the theory that they are performing governmental functions; that they are highways which from the twilight of history have always been managed by governments.

"I say," he added, "that when this commission comes back with cold facts, I say that your opinion and mine, with the aid of these facts, will be the opinion of this country, and therefore I bid you goodspeed."

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## COTTON BLAZE LIGHTS BAY.

TWO STOREHOUSES ON DOCKS AT  
TOMPKINSVILLE BURNED.

Holdings on Government Lightship Brought  
Cotton Threatened Ship Moved to  
Safety Docked New York and  
Railroad Traps Help Richmond Firemen.

Fire which started at 10:30 last evening in storehouse No. 3 of the American Dock and Freight Company at Tompkinsville, Staten Island, spread to storehouse No. 2 and for a time threatened to destroy the buildings and docks of the Lighthouse Department. Storehouses 2 and 3 were filled with cotton bales and they made fine fuel. These buildings with their contents were destroyed, causing a loss estimated at \$150,000.

Almost the entire fire-fighting force of Richmond Borough was called out for the first big job it had tackled since it became a paid department. The first New York City fireboat, the *John J. Smith*, with Chief Croker aboard, went down to help.

Two hours after the fire started the flames were still in storehouses 2 and 3 and had not spread to the big pier to the other storehouses to the south. The storehouses and piers are known as the American Cotton Docks.

The warehouses, besides the sheds which ran out on the piers on each side of the docks, covered several acres of ground on the shore running back from the water front five or six hundred feet in some cases. They were mostly built of brick and slate and tin and had an elaborate system of fire protection, there being fire standards for the taking of water at frequent intervals and many lines of hose laid and ready besides hose on reels in various parts of the yards.

The yards extended from the United States reservation occupied by the Light House Department to the water front, the whole area except a small portion near the old ferry landing, where there was a hotel and some small buildings. The hotel had been used as a tenement house for years.

The ground on which the cotton docks stood on the shore side was famous for being a part of the old quarantine site and the scene of furious riots years ago. Back of the docks and across the Staten Island Rapid Transit Railroad tracks, which just there emerge from the tunnel under the Lighthouse Department grounds, is Central avenue, where some of the handsomest residences on Staten Island are located.

The docks were approachable from the land side only by way of Arietta street. When the firemen arrived the first companies ran their lines from hydrants on Arietta street. Later engines took position on Central avenue and by carrying their lines through yards and across the railroad tracks, reached the land-side of the fire.

Others made use of the lighthouse grounds and the men of that department also ran lines to fight the flames. The hose lines shot off travel on the south shore and Tottenham divisions of the Staten Island Railroad. Passengers for St. George left the trains at Stapleton and by walking a few blocks were able to come to the docks, which were then being used by the firemen. The fire was discovered by William Smith, a watchman in the compressing room of No. 3. He sent in an alarm from a box inside the yard. This brought Deputy Chief Guerin and several pieces of apparatus. At that time the fire was confined to one corner of the storehouse, but was burning fiercely in the baled cotton. An effort was made to hold it in check.

The firemen did not let the yard's own force fight the flames for half an hour, but no headway was being made and all the engines in Richmond borough were called out as well as two fireboats and three tug boats of the Baltimore and Ohio Railroad from the railroad docks at St. George. The fire boats and tug ran lines from the waterfront into the yard and began to flood out the flames.

Storehouse No. 3 is connected with No. 2 by a covered way. No. 2 was filled with cotton in bales, as was No. 3. The flames, once they began to spread, quickly passed through into No. 2, and from there on in fire was a brilliant one as it broke through the roofs and spread out. The bay was lit up brilliantly.

Each of the warehouses was 400 feet by 100. To the south of them were others as large and to the water side jutted out the covered piers. To one of the piers was moored a big steamer which had been discharging cotton all day. This steamer was pulled out from the dock to make way for the fireboats. She was not in any danger. At one of the other docks lay a large tramp steamer discharging other merchandise. She was made ready to go out into the stream if the wind should change.

The fact that the wind was from the east was favorable, as it drove the fire away from the larger part of the yard and toward the lighthouse department, which was in danger of having some of its buildings set on fire. A considerable quantity of raw supplies is stored there.

The fireboat New Yorker took position in the slip vacated by the ship which was being discharging cotton. She ran a series of lines to the fire and her powerful streams swirled bales of cotton about as if their weight was nothing.

At 1 o'clock this morning the indications were that the flames would be confined to the two storehouses. The wind was holding the flames away from the docks and the big storehouses and the fire was so well controlled that it seemed unlikely would spread into the Government reservation.

A fireman was injured on the way to the scene. He is Martin Hannan, 29 years old, of Hook and Ladder 103. The machine had run from Stapleton. As it was going down the Arietta street hill Hannan got down on the running board ready to spring off as the apparatus slowed down a block beyond the railroad tracks.

As the machine hit the worn wooden crossing of the railroad it jolted Hannan off and the rear wheel passed over him. His right leg and right thigh were broken. The fire destroyed many wires in Tompkinsville and St. George, and for a time communication with New York was difficult, but was restored later by way of West Brighton.

By a certain awkwardness in some of her movements," said the surgeon, "the malformation has disappeared and her strength for walking, running, jumping and dancing is perfectly normal. I have little doubt that every trace of the original trouble has finally vanished and that no further surgical attention is likely to be necessary. Still, it is desirable that I should see the patient at intervals of one or two days, until her recovery is absolute."

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Special Cable Despatch to THE SUN.  
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There can be no doubt that the Government here had information which strongly indicated that the radicals intend to make trouble at the coming elections in Panama. It is likely, however, that in view of the concentration of marines ready to land on the Isthmus and engage in suppressing revolution the radicals will cool down and allow the election to pass off quietly.

From unofficial sources it is learned that the trouble is based mainly on the fact that the conservatives, now in power, have everything fixed for a sweeping victory at the coming elections, and the radicals, outnumbering the party in power, stand no show. Under these circumstances the radicals naturally stand a good chance of a successful revolution, but with the United States Government objecting and threatening to use force in quelling any attempted outbreak the radicals will probably show considerable hesitancy in starting an outbreak.

A distinct warning was sounded by the Administration several weeks ago as to the course this Government would take if a revolution broke out in Panama. There was a good deal of correspondence on the subject, in which both Secretary Taft and Secretary Root gave their views and laid down the Government's policy. There was no mistaking the meaning in the letters of both that the United States Government would not permit a revolution in Panama, on the ground that a revolution will seriously interfere with the work of canal construction, and the United States did not intend to tolerate it. In rendering his opinion as to the limitations of the United States in intervening in the initial troubles of a Panama Secretary Taft said:

"I have no hesitation whatever in saying that in my judgment an insurrection in any part of the republic would disturb the order in Panama and Colon and adjacent territory and would greatly increase the difficulties that the United States would have in constructing the canal, and while, of course, the forces of our Government ought not to intervene until it is established that the Republic of Panama cannot maintain order in its own territory, I think the United States may properly, under the clauses of the treaty construed in the light of the provision of the Constitution, quoted by the Secretary of State and to prevent its inevitable interference with the work of canal construction, suppress any insurrection in any part of the country."

The decision as to the policy of this Government was brought about by inquiries from the malcontents in Panama as to what this Government would do if they started a revolution. The answers, in the form of letters to Gov. Magallon of the Canal Zone, and the Secretary of State, laid down the policy. The shipment of marines to points near Panama is an evidence of the determination of the United States in the matter, and the proof thus furnished to the revolutionists in Panama will probably bear fruit and prevent any outbreak.

There are now 200 marines in Panama. Most of them are along the line of the canal. These soldiers, however, are regularly stationed on the Isthmus and were not sent there on account of the recent indications of trouble.

Two Men Ransacked Julian Hawthorne's House in Yonkers.

YONKERS, N. Y., May 21.—The police to-day reported that yesterday afternoon two men who came in an automobile which bore the registry number "16432 N. Y." visited Julian Hawthorne's home at 759 Warburton avenue, and stole between \$40 and \$50 in cash and considerable jewelry, besides ransacking every drawer in the apartments of Hendrick Hansen, janitor of the Hawthorne house, who has been acting as caretaker of the house since the recent fire, which badly damaged it.

Hansen returned to the house at 3 o'clock and saw the auto with two men in it. He grasped with one of them, but just then another auto arrived and, taking the first in tow, started off. The man broke away from Hansen and jumped into the auto as it left.

The first auto was taken to Shrive's garage, where it still is. Shrive's man says that he was approached at the garage by a man named Rogers, chauffeur for Frank Seaman, who said that his machine had broken down in front of the Hawthorne house and he wanted it repaired. Rogers said he was on his way to Kinderhook, Mr. Seaman's home. He had been approached by a man named Hansen, who asked for a lift and when the accident happened he left them to guard the machine while he went to the garage. When he returned with Shrive's man Hansen and one of the passengers were fighting, and Hansen demanded to be carried to police headquarters, but refused to tell why he made such a demand.

The two strangers dropped off the auto when it was near Shomard place, and went over the hill. Rogers went to the garage and said he would call for the machine later.

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## VICE-CONSUL MURDERED.

American Representative at Batum, Russia,  
Killed in His Home.

Special Cable Despatch to THE SUN.  
BATUM, Asiatic Russia, May 21.—William H. Stuart, the American Vice-Consul here, was shot and killed at his country place near the city last night. The murderer escaped.

Mr. Stuart was a British subject and a leading merchant of the Caucasus. He had had trouble with the labor organizations, and it is supposed that the crime was committed by a dissatisfied workman.

Washington, May 21.—Further than a brief despatch from George Von L. Meyer, the American Ambassador at St. Petersburg, saying that Mr. Stuart had been murdered and that the assassins are unknown, the State Department has received no information on the subject, and no action will be taken until a more complete report comes from Mr. Meyer. It is very likely that there will be no necessity for this Government to formally call the attention of the Russian Government to the matter, as the St. Petersburg authorities will, if they have not done it already, take every step to find the murderers and punish them. It is not expected that there will be the slightest friction between the two governments in the matter.

Mr. Stuart played as Vice-Consul was given him by this Government two years ago. For ten years he had been a leading business man at Batum, being the practical head of A. F. Matievich & Co. Mr. Campbell, his predecessor, in recommending him to the State Department said he was the most influential foreigner among the Russian officials in the country, from the Governor General down.

Mr. Stuart was 49 years old, having been born at Harrow-on-the-Hill, England, in 1857. He was once before in the service of this Government when at Odessa. While there he assisted the American Consul in his work and had charge of the consulate from time to time. Being both an official of this Government and a British subject the Russian Government will have two nations to deal with in the matter.

Mr. Stuart spoke German, French, Russian, Italian and Rumanian. The consular mission of this country at Batum pays less than \$1,000 a year and this Government could find no competent American to take the place. Batum is situated on the east coast of the Black Sea and has a population of 30,000, mostly Armenians and Turks. The Europeans, nearly all Russians, number 5,000.

There is nothing to indicate that the death of Mr. Stuart was in any way connected with his being an official of the United States Government.

LOLITA ARMOUR NEARLY WELL.  
Dr. Lorenz Says No Further Surgical Attention Will Be Necessary.

Special Cable Despatch to THE SUN.  
VIENNA, May 21.—Dr. Lorenz said to-day that he was pleased and satisfied with the improvement in the condition of Lolita Armour, who will remain in Vienna until the middle of next month, while her parents go on a motoring tour into Switzerland and France.

By a certain awkwardness in some of her movements," said the surgeon, "the malformation has disappeared and her strength for walking, running, jumping and dancing is perfectly normal. I have little doubt that every trace of the original trouble has finally vanished and that no further surgical attention is likely to be necessary. Still, it is desirable that I should see the patient at intervals of one or two days, until her recovery is absolute."

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"I have no hesitation whatever in saying that in my judgment an insurrection in any part of the republic would disturb the order in Panama and Colon and adjacent territory and would greatly increase the difficulties that the United States would have in constructing the canal, and while, of course, the forces of our Government ought not to intervene until it is established that the Republic of Panama cannot maintain order in its own territory, I think the United States may properly, under the clauses of the treaty construed in the light of the provision of the Constitution, quoted by the Secretary of State and to prevent its inevitable interference with the work of canal construction, suppress any insurrection in any part of the country."

The decision as to the policy of this Government was brought about by inquiries from the malcontents in Panama as to what this Government would do if they started a revolution. The answers, in the form of letters to Gov. Magallon of the Canal Zone, and the Secretary of State, laid down the policy. The shipment of marines to points near Panama is an evidence of the determination of the United States in the matter, and the proof thus furnished to the revolutionists in Panama will probably bear fruit and prevent any outbreak.

There are now 200 marines in Panama. Most of them are along the line of the canal. These soldiers, however, are regularly stationed on the Isthmus and were not sent there on account of the recent indications of trouble.

Two Men Ransacked Julian Hawthorne's House in Yonkers.

YONKERS, N. Y., May 21.—The police to-day reported that yesterday afternoon two men who came in an automobile which bore the registry number "16432 N. Y." visited Julian Hawthorne's home at 759 Warburton avenue, and stole between \$40 and \$50 in cash and considerable jewelry, besides ransacking every drawer in the apartments of Hendrick Hansen, janitor of the Hawthorne house, who has been acting as caretaker of the house since the recent fire, which badly damaged it